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BOX AF

RESPONSE UNDER 37 C.F.R. § 1.116
Expedited Examination Procedure
Examining Group 2881

PATENT
ATTORNEY DOCKET NO.: 040894-5640

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------|---|---------------------------|
| In re Application of: |) | |
| |) | Confirmation No. 5548 |
| Tomohiko SERITA |) | |
| |) | Group Art Unit: 2881 |
| Application No.: 09/801,785 |) | |
| |) | Examiner: David A. Vanore |
| Filed: March 9, 2001 |) | |
| |) | Mail Stop AF |
| For: DETECTOR AND METHOD FOR |) | |
| DETECTING PLATE-SHAPED OR |) | |
| SHEET-SHAPED BODY |) | |

Mail Stop AF
Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment under 37 C.F.R. §1.116 in response to the Final Office Action dated February 24, 2004.
2. Additional papers enclosed:

- ☐ Submission of Replacement Drawing Sheets (with Figures attached)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|------------------------------|-----------------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$ 210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> four months | \$ 1,480.00 | \$ 740.00 |

Extension of time fee due with this request: \$ 0.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|--------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 10 | minus | 20 | 0 | x \$18 each= | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 3 | minus | 3 | 0 | x \$86 each= | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$290.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

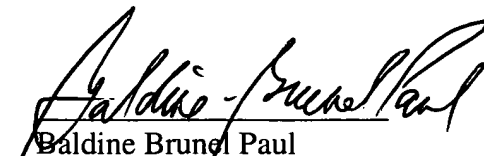
- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge the fee of **\$ 0.00** for one additional independent claim to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: May 21, 2004

By:


 Baldine Brunel Paul
 Registration No. 54,369

Customer No. 09629

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Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated February 24, 2004, the period for response to which extending through May 24, 2004, and pursuant to 37 C.F.R. §1.116, entry of the following amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.